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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,475	01/17/2001	Toru Kuwahara	450128-04024	6639

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Frommer Lawrence & Haug LLP  
745 Fifth Avenue  
New York, NY 10151

EXAMINER

GRAHAM, CLEMENT B

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/764,475

Applicant(s)

KUWAHARA ET AL. 

Examiner

Clement B Graham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/5/2002</u> | 6) <input type="checkbox"/> Other: _____  |

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**DETAILED ACTION**  
**Claim Rejections - 35 USC § 112**

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.  
Claim 25 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing
2. to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In particular, Claim 25 line 12 "the first authorization request processing means carries out not processing , it is unclear since line 8 indicates that the "first authorization request processing means for carrying out processing ...". For further examination, the examiner interprets the limitation in light of this 112, second rejection.

**Claim Rejections - 35 USC § 102**

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:  
A person shall be entitled to a patent unless –  
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
4. Claims 1-40, are rejected under 35 U.S.C. 102(e) as being anticipated by Bogosian et al (Hereinafter Bogosian U.S Patent No. 6, 760, 470).

As per claim 1, Bogosian discloses a method of processing a reception of an order on-line business comprising the steps of:  
carrying out processing for receiving an on-line input of order information on specified business from an orderer.(i. e, "buyer") and processing for obtaining payment certifying information for certifying payment for the order.(see column 13 lines 23-55) and after receiving the order information, supplying the orderer on on-line output of information indicating that the order has been received.(i. e, "order confirmation page" see 13 lines 37-50) before a result of authorization about the payment certifying information is presented.(see column 13 lines 23-55).

As per claim 2, Bogosian discloses wherein the payment certifying information is information for certifying that the payment is made using a credit card.(see column 13

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lines 23-55).

As per claim 3, Bogosian discloses a method of processing a reception of an order on on-line business comprising the steps of:  
carrying out processing for receiving an on-line input of order information on specified business from an orderer. ("i. e, "buyer") and processing for obtaining payment certifying information for certifying payment for the order.(see column 13 lines 23-55) and after receiving the order information, supplying the orderer an on-line output of information indicating that the order has been received.(i. e, "order confirmation page" see 13 lines 37-50) and after receiving the order information, carrying out processing for requesting authorization about the payment certifying information. (see column 13 lines 23-55).

As per claim 4, Bogosian discloses wherein the payment certifying information is information for certifying that the payment is made using a credit card. (see column 13 lines 15-55).

As per claim 5, Bogosian discloses a system for processing business which receives an order on business through a network comprising:  
order reception processing means for carrying out processing for receiving an on-line input of order information on specified business from an orderer.("i. e, "buyer") carried out through the network.(see column 13 lines 23-55) and processing for obtaining payment certifying information for certifying payment for the order.(see column 13 lines 23-55) and authorization request processing means for carrying out processing for requesting authorization about the payment certifying information.(see column 13 lines 23-55) the order reception processing means, on receiving the input of the order information, carrying out processing for transmitting information indicating that the order has been received to the orderer through the network, and the processing for requesting the authorization. (see column 13 lines 23-55).

As per claim 6, Bogosian discloses wherein the order reception processing means and the authorization request processing means comprise;  
hardware systems different from each other, the order reception processing means comprising a first system. ("i. e, "buyer system" Note Fig:1") and the authorization

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request processing means comprising a second system. ("i. e, host web site Note Fig:1") the first system comprising means for transmitting the payment certifying information to the second means, and the second system comprising means for receiving the payment certifying information from the first system. (see column 13 lines 23-55).

As per claim 7, Bogosian discloses wherein the authorization request processing means carries out processing, as the processing for requesting the authorization, for transmitting the payment certifying information to a payment relay center specified beforehand. (see column 13 line 23-65 and column 14 lines 1-4).

As per claim 8, Bogosian discloses wherein the payment certifying information is information for certifying the payment using a credit card. (see column 13 lines 23-55).

As per claim 9, Bogosian discloses wherein the order reception processing means receives the order of purchasing goods as business. (see column 13 lines 23-55).

As per claim 10, Bogosian discloses a wherein a plurality of the second systems are disposed, the first system further comprises means for selecting the second system being to transmit the payment certifying information and the means for selecting the second system selects on second system from the plurality of the second systems. (Note fig: 1 and see column 13 lines 23-55).

As per claim 11, Bogosian discloses wherein the first system further comprises means for accumulating a specified amount of the payment certifying information and thereafter transmitting the accumulated information to the second system in batches. (see column 13 lines 23-55).

As per claim 12, Bogosian discloses a system for processing business which receives an order on business through a network comprising:

order reception processing means for carrying out processing for receiving an on-line input of order information on specified business from an orderer. ("i. e, "buyer") carried out through the network. (see column 13 lines 23-55) and processing for obtaining payment certifying information for certifying payment for the order. (see column 13 lines 23-55) and authorization request processing means for carrying out processing for requesting authorization about the payment certifying information. (see column 13 lines

23-55) the order reception processing means, on receiving the input of the order information, carrying out processing for transmitting information indicating that the order has been received to the orderer through the network, and the processing for requesting the authorization. (see column 13 lines 23-55).

As per claim 13, Bogosian discloses wherein the order reception processing means and the authorization request processing means comprise; hardware systems different from each other, the order reception processing means comprising a first system. ("i. e, "buyer" Note Fig:1") and the authorization request processing means comprising a second system. ("i. e, host web site Note Fig:1") the first system comprising means for transmitting the payment certifying information to the second means, and the second system comprising means for receiving the payment certifying information from the first system. (see column 13 lines 23-55).

As per claim 14, Bogosian discloses wherein the authorization request processing means carries out processing, as the processing for requesting the authorization, for transmitting the payment certifying information to a payment relay center specified beforehand. (see column 13 line 23-65 and column 14 lines 1-4).

As per claim 15, Bogosian discloses wherein the payment certifying information is information for certifying the payment using a credit card. (see column 13 lines 23-55).

As per claim 16, Bogosian discloses wherein the order reception processing means receives the order of purchasing goods as business. (see column 13 lines 23-55).

As per claim 17, Bogosian discloses a wherein a plurality of the second systems are disposed, the first system further comprises means for selecting the second system being to transmit the payment certifying information and the means for selecting the second system selects on second system from the plurality of the second systems. (Note fig: 1 and see column 13 lines 23-55).

As per claim 18, Bogosian discloses wherein the first system further comprises means for accumulating a specified amount of the payment certifying information and thereafter transmitting the accumulated information to the second system in batches.

(see column 13 lines 23-55).

As per claim 19, Bogosian discloses a system for processing business which receives an order on business on a Web page comprising:

a first system.("i. e, "buyer system" Note Fig:1") carrying out processing for receiving; and a second system .("i. e, host web site Note Fig:1") carrying out processing for requesting authorization, the first system comprising:

authorization request processing means for carrying out processing for requesting an authorization about the payment certifying information. (see column 13 lines 23-55) and means for receiving the payment certifying information from the first system, the order reception processing means, on receiving the input of the order information.(see column 13 lines 23-55) carrying out processing of displaying on the Web page information indicating that the order has been received.(see column 13 lines 23-55) and the processing for displaying being carried out separately from the processing for requesting the authorization. (see column 13 lines 23-55).

As per claim 20, Bogosian discloses a wherein a plurality of the second systems are disposed, the first system further comprises means for selecting the second system being to transmit the payment certifying information and the means for selecting the second system selects on second system from the plurality of the second systems. (Note fig: 1 and see column 13 lines 23-55).

As per claim 21, Bogosian discloses wherein the first system further comprises means for accumulating a specified amount of the payment certifying information and thereafter transmitting the accumulated information to the second system in batches. (see column 13 lines 23-55).

As per claim 22, Bogosian discloses wherein the authorization request processing means carries out processing, as the processing for requesting the authorization, for transmitting the payment certifying information to a payment relay center specified beforehand.(see column 13 line 23-65 and column 14 lines 1-4).

As per claim 23, Bogosian discloses wherein the payment certifying information is information for certifying that the payment is made using a credit card.(see column 13 lines 15-55).

As per claim 24, Bogosian discloses wherein the order reception processing means receives the order of purchasing goods as business. (see column 13 lines 23-55).

As per claim 25, Bogosian discloses a system for processing business which receives an order for purchasing business which receives an order for purchasing goods on a Web page comprising:

a first system.("i. e, host web site Note Fig:1") comprising:

order reception processing means for carrying out processing for receiving an on-line input of order information on specified business carried out on the Web page, and processing for obtaining payment certifying information for certifying payment for the order. (see column 13 lines 23-55)

first authorization("i. e. user registration") request processing means for carrying out processing for requesting an authorization about the payment certifying information .(see column 13 lines 23-55 and column 13 line 65 and column 14 lines 1-4) and payment certifying information transmitting means for transmitting outside payment certifying information corresponding to an authorization request for which the first authorization request processing means carries out not processing.(see column 5 lines 20-33 and column) and one or more second systems.("i. e, "buyers" Note Fig:1") each comprising:

payment certifying information receiving means for receiving the payment certifying information transmitted from the first system. (see column 13 lines 23-55) and second authorization.("i. e, 1-click-purchasing") request processing means for carrying out processing for requesting authorization about the received payment certifying information. (see column 13 lines 23-55) the order reception processing means, on receiving the input of the order information, carrying out processing for displaying on the Web page information indicating that the order has been received, and the processing for displaying being carried out separately from the processing for requesting the authorization. (see column 13 lines 23-55)

As per claim 26, Bogosian discloses wherein the first system and the one or more second systems are connected through communication lines, and the first



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authorization request transmitting means in the first system transmits the payment certifying information to the second systems through the communication lines. (Note fig:1).

As per claim 27, Bogosian discloses wherein the authorization request processing means carries out processing, as the processing for requesting the authorization, for transmitting the payment certifying information to a payment relay center specified beforehand. (see column 13 lines 23-55 and column 13 line 23-65 and column 14 lines 1-4).

As per claim 28, Bogosian discloses wherein the payment certifying information is information for certifying the payment using a credit card. (see column 13 lines 23-55).

As per claim 29, Bogosian discloses wherein the order reception processing means receives the order of purchasing goods as business. (see column 13 lines 23-55).

As per claim 30, Bogosian discloses wherein the first authorization request processing means in the first system and the second authorization request processing means in the second system share the processing for requesting the authorization. (see column 13 lines 23-55 and column 13 line 23-65 and column 14 lines 1-4).

As per claim 31, Bogosian discloses wherein the second authorization request processing means in the second system functions as an auxiliary system which is operated when an amount of the processing for requesting authorization exceeds a processing capacity of the first authorization request processing means in the first system. (see column 13 lines 23-55).

As per claim 32, Bogosian discloses wherein the first system further comprises means for accumulating a specified amount of the payment certifying information for which the request for authorization is necessary, and for transmitting thereafter the accumulated information to the second system in batches. (see column 13 lines 23-55).

As per claim 33, Bogosian discloses wherein the authorization request processing means carries out processing, as the processing for requesting the authorization, for transmitting the payment certifying information to a payment relay

center specified beforehand. (see column 13 lines 23-55).

As per claim 34, Bogosian discloses wherein The first system further comprises means for accumulating a specified amount of the payment certifying information for which the request for authorization is necessary, and for transmitting thereafter the accumulated information to the second system in batches. (see column 13 lines 23-55).

As per claim 35, Bogosian discloses a system for processing business which receives an order for purchasing goods on a Web page comprising:

a first system carrying out order receiving processing in which there are carried out processing for receiving an on-line input of order information on specified business carried out on the Web page, and processing for obtaining payment certifying information for certifying payment for the order and processing for requesting authorization about the payment certifying information. (see column 13 lines 23-55). and second system carrying out processing for requesting authorization which is not processed in the first system,

the first system, on receiving the input of the order information indicating that the order has been received, and the processing for displaying being carried out separately from the processing for requesting the authorization. (see column 13 lines 23-55).

As per claim 36, Bogosian discloses wherein the payment certifying information is information for certifying the payment using a credit card. (see column 13 lines 23-55).

As per claim 37, Bogosian discloses wherein the order reception processing means receives the order of purchasing goods as business. ("i. e, host web site") (see column 13 lines 23-55).

As per claim 38, Bogosian discloses a system for processing business which receives an order for purchasing goods on a Web page comprising:

order reception processing means for carrying out processing for receiving on line input of order information on specified business carried out on the Web page, and processing for obtaining payment certifying information for certifying payment for the order. (see column 13 lines 23-55).

and authorization request transmission means for transmitting outside a request for

authorization about the payment certifying information.(see column 13 lines 23-55).  
the order reception processing means, on receiving the input of the order information indicating that the order has been received, and the processing for displaying being carried out separately from the processing for requesting the authorization. (see column 13 lines 23-55).

As per claim 39, Bogosian discloses wherein the payment certifying information is information for certifying the payment using a credit card.(see column 13 lines 23-55).

As per claim 40, Bogosian discloses wherein the order reception processing means receives the order of purchasing goods as business. (see column 13 lines 23-55).

#### Conclusion

5. The prior art of record and not relied upon is considered pertinent to Applicants disclosure.

Spoerre et al U.S, 5, 602, 761 Patent ) teaches machine performance monitoring and fault classification using an exponentially weighted moving average scheme.

.Heckerman et al (US Patent 5, 704, 017) teaches collaborative filtering utilizing a belief network.

Maghirmalani et al (US Patent 5, 819, 028) teaches method and apparatus for determining the health of a network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

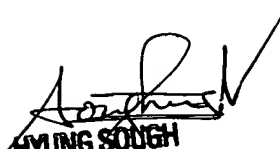
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

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September 29, 2004

  
HYUNG SOUH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600